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June 15, 2021

VIA E-Mail Only

Caroline Thomas Jacobs
Director, Wildfire Safety Division
California Public Utilities Commission
505 Van Ness Avenue
San Francisco, CA 94102
Email: wildfiresafetydivision@cpuc.ca.gov

**Re: Reply Comments of the Coalition of California Utility Employees on
the Wildfire Safety Division's Proposed Changes to the 2021 Safety
Certification Guidance Pursuant to Public Utilities Code § 8389(f)(2)**

Dear Director Thomas Jacobs:

We write on behalf of the Coalition of California Utility Employees (CUE) to provide reply comments on the Wildfire Safety Division's (Division) proposed changes to the 2021 Safety Certification Guidance.¹ These comments address The Utility Reform Network's (TURN) erroneous interpretation of the "good standing" requirement in Public Utilities Code § 8389(e)(2).

TURN claims that each electrical IOU will not be able to rely on its 2021 Safety Culture Assessment (SCA) to satisfy the good standing requirement because the IOU will not be able implement any of the SCA findings before it submits a safety certification request.² TURN argues that the good standing requirement can only be satisfied if an IOU implements its most recent SCA.³ This is incorrect.

¹ Letter to Stakeholders from Caroline Thomas Jacobs, Wildfire Safety Division re: Wildfire Safety Division's Proposed Changes to the 2021 Safety Certification Guidance Pursuant to Public Utilities Code § 8389(f)(2) (May 11, 2021).

² Letter to Caroline Thomas Jacobs, Wildfire Safety Division from Thomas Long, The Utility Reform Network re: TURN's Comments on the WSD Proposed 2021 Safety Certification Guidance (June 1, 2021) p. 2.

³ *Id.* at p. 2-3.
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AB 1054's language is clear and unambiguous. Good standing "can be satisfied by the electrical corporation *having agreed to implement* the findings of its most recent safety culture assessment."⁴ The statute does not require that the IOU implement the findings prior to issuance of the safety certification; rather, an IOU need only agree to implement the findings. Even though IOUs are not expected to have implemented any of the 2021 recommendations, the IOUs can satisfy the good standing requirement by agreeing to implement the findings of their 2021 SCAs.

If an IOU does not agree to implement the findings from its most recent SCA, the Division should have alternative ways the IOU can demonstrate good standing. The alternatives should be consistent with the statutory example (i.e., an agreement to implement the findings of the most recent SCA). That is, the standards should be based on a forward-looking commitment to safety and prudent wildfire mitigation efforts, and not tied to compliance review or punishment for past conduct.⁵

Thank you for your consideration of these comments.

Sincerely,



Andrew J. Graf
Attorneys for the Coalition of
California Utility Employees

AJG:acp

Cc: R.18-10-007 Service List

⁴ Pub. Util. Code § 8389(e)(2).

⁵ Letter to Caroline Thomas Jacobs, Wildfire Safety Division from Laura Fulton, San Diego Gas & Electric Company re: Comments on Wildfire Safety Division's Proposed Changes to the 2021 Safety Certification Guidance Pursuant to Public Utilities Code Section 8389(f)(2) (June 1, 2020) p. 4; letter to Caroline Thomas Jacobs, Wildfire Safety Division from Michael Backstrom, Southern California Edison re: Southern California Edison Company's Comments on Wildfire Safety Division's Proposed Changes to the 2021 Safety Certification Guidance Pursuant to Public Utilities Code § 8389(f)(2) (June 1, 2021) p. 11.

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